

# CIVIL SERVICE RULES AND REGULATIONS

City of Dayton, Ohio

TITLE APPOINTMENTS

RULE 9

Section 1. TYPES OF APPOINTMENTS. Appointments in the classified service shall be one of the following types:

- A. Permanent Appointment. An original appointment to a full-time position made from a certified competitive or noncompetitive eligible list shall be a permanent appointment, but the incumbent is subject to the completion of a probationary period, as outlined in Rule 10.
- B. Temporary Appointment. When services are needed for a short-term period, a temporary appointment, without examination, may be made under any of the circumstances set forth below. Such appointment shall not exceed a six (6) month period ~~in any twelve (12) month period.~~
  - 1. *A temporary appointment may be made* ~~in~~ the absence of an eligible list and when there is an urgent need to fill a regular vacancy, a temporary appointment may be made. *Temporary appointments expire no later* ~~for no more~~ than four (4) weeks following the establishment of an eligible list.
  - 2. *A temporary appointment may be made* ~~to~~ fill a position vacated on a temporary basis because of illness, injury, or other legitimate reason for absence of a regular employee. Such appointment shall cease upon the termination of the leave of absence of the regular employee. In the event that regular employee terminates their employment, the provisions of Section 1 (B) (1) shall apply.
  - 3. To fill a position created for a limited period when additional work of a temporary nature must be performed within a specified time and regular staff is not adequate to meet the need. ~~The duration of the period of temporary service shall be set at the time the position is filled.~~

If a person whose name is on the eligible list for regular appointment is offered a temporary position, acceptance or refusal to accept the temporary position shall not affect ~~his/her~~ **their** eligibility for regular employment.

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No individual shall be eligible for subsequent temporary/seasonal appointment without a *two (2) week* break in service.

Service as a temporary employee shall not be counted as time served toward the completion of a probationary period. The temporary appointment of an individual shall not confer on the appointee any rights of status, appeal, or related rights set forth under these Rules.

- C. Seasonal Appointment. A seasonal appointment may be made to encompass a growing season, recreational season, or the like. Upon approval of the Board, seasonal positions may be created which exceed six (6) months provided the specific starting and ending dates are established for such positions.

No individual shall be eligible for subsequent temporary/seasonal appointment without a *two (2) week* break in service.

Service as a seasonal employee shall not be counted as time served toward the completion of a probationary period. The seasonal appointment of an individual shall not confer on the appointee any rights of status, appeal, or related rights set forth under these Rules.

- D. Emergency Appointment. An emergency, as the term is used herein, means any unforeseen condition which is likely to cause loss of life or damage to property, the stoppage of services, or serious inconvenience to the public. Upon receipt of a request from a department director citing such emergency condition(s), the Secretary and Chief Examiner may authorize one or more emergency appointments, for the duration of the emergency, not to exceed thirty (30) calendar days. The department director shall determine the qualifications of persons nominated for emergency appointment. Service as an emergency employee shall not be counted as time served toward the completion of a probationary period. The emergency appointment of an individual shall not confer on the appointee any rights of status, appeal, or related rights set forth under these Rules.

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- E.    Part-Time Permanent Appointment. A part-time permanent appointment, except as defined in Rule 9, Paragraph F below, may be made to a position which requires the services of an employee thirty-five (35) or less hours a week. Part-time permanent employees may be selected through a process approved by the Board, but shall have no right to full-time *employment* except as set forth in Rule 9, Section 1 (A).
- F.    Professional - Technical - Supervisor and Management Part-Time Appointment. A part-time appointment may be made to a Professional – Technical – Supervisor and Management classification which requires the services of an employee thirty-five (35) or less hours a week. Professional – Technical – Supervisor and Management part-time employees may be selected through a process approved by the Board, but shall have no right to full-time *employment* except as set forth in Rule 9, Section 1 (A).
- G.    Student Appointment. A full-time student may be appointed for no more than six (6) months in any twelve (12) month period, or on a basis of no more than *1040 hours half-time* for a twelve (12) month period. A student appointment can be made without competitive examination, on the basis of recommendations from the employing department director ~~and the student's school.~~
- H.    Firefighter Recruit Appointment. No person who will be *forty-one (41)* ~~thirty-six (36)~~ years of age or older at the time the Firefighter Recruit Training Academy class is scheduled for completion shall receive an original appointment to the position of Firefighter Recruit.
- I.    Firefighter Appointment. No person who is *forty-one (41)* ~~thirty-six (36)~~ years of age or older shall receive an original appointment to the position of Firefighter.
- J.    Police Recruit Appointment. No person who will be thirty-five (35) years of age or older at the time the Police Recruit Training Academy class is scheduled for completion shall receive an original appointment to the position of Police Recruit.

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K.    Police Officer Appointment. No person who is thirty-five (35) years of age or older shall receive an original appointment to the position of Police Officer.

Before appointment, all persons employed under this Section must meet the minimum educational, experience, and related qualifications set for the classification and be certified by the Civil Service Board staff.

Section 2.    REINSTATEMENT *AFTER RESIGNATION*. A former full-time employee who has been reinstated to an eligible list, may be referred for appointment in accordance with Rule 8, Section 6. A reinstated employee is not subject to a new probationary period. If the individual is not reinstated within one (1) year from the date of ~~his/her~~ *their* separation from City service, ~~his/her~~ *their* seniority will be computed from the date of reinstatement. A physical examination will be required at the time of reinstatement if such separation exceeds ninety (90) days.

Section 3.    NONCOMPETITIVE APPOINTMENT. When a vacancy occurs in the noncompetitive class, the City Manager shall notify the Secretary and Chief Examiner through a requisition. The Secretary and Chief Examiner may require the nominee(s) to submit documentation as deemed necessary to verify the candidate's education, experience and licensure. Applications and an unranked list of pre-certified individuals will be forwarded to the appropriate department director for interview and subsequent selection.

Section 4.    PHYSICAL/PSYCHOLOGICAL QUALIFICATIONS. No appointment shall be made without prior physical and, when required, a psychological examination which demonstrates an individual's ability to successfully perform the duties of the position to which appointed.

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